

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ROBERT ANDREW WERMUTH, #189991,)	
)	
)	
Plaintiff,)	Case No. 2:05cv644
)	
SHANNON CARROL YOUNGBLOOD, et al.,)	
)	
)	
Defendants.)	

MOTION TO WITHDRAW

COMES NOW, Kimberly O. Fehl and moves this Honorable Court for permission to withdraw as trial counsel for Defendants Everette L. Johnson, David R. Hill and Roderick Byrne, in the above styled cause. As grounds in support of said motion, the undersigned states unto the Court the following:

1. April 14, 2006, this Court entered an Order granting summary judgment to Defendants R. D. Calhoun and S. C. Youngblood and set case for non-jury trial on May 30, 2006 against remaining Defendants Johnson, Hill and Byrne.
2. On April 21, 2006, a Notice of Appearance was file by Michael Boyle for all remaining Defendants.
3. Since approximately February 2006, the undersigned has planned to be out of the country from May 29 – June 4, 2006.
4. Defendants, Johnson, Hill and Byrne will continued to be represented at trial on May 30, 2006 by Mr. Boyle.

WHEREFORE, ABOVE PREMISES CONSIDERED, the undersigned respectively moves this Court for permission to withdraw as counsel in this matter.

Respectfully submitted this the 8th day of May, 2006.

/s/ Kimberly O. Fehl
KIMBERLY O. FEHL (FEH001)

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following by placing a copy thereof in the United States Mail, postage prepaid and properly addressed on this the 8th day of May, 2006:

Robert Andrew Wermuth
ECF# 189991
Dorm 6/B-38
Easterling Correctional Facility
200 Wallace Drive
Clio, Alabama 36017-2615

/s/ Kimberly O. Fehl
KIMBERLY O. FEHL